



Entered on Docket
December 18, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes, et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Affects:

- ☐ All Debtors
☒ Affects the following Debtor(s):

Rhodes Design and Development
Corporation
Rhodes Ranch General Partnership
Tuscany Acquisitions

Hearing Date: December 17 2009
Hearing Time: 9:30 a.m.
Courtroom 1

**ORDER GRANTING DEBTORS' SEVENTH OMNIBUS OBJECTION TO CLAIMS
PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 3003 AND 3007
[MISCLASSIFIED CLAIMS] [DOCKET NO. 750]**

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

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Upon consideration of the *Debtors' Seventh Omnibus Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rules 3003 and 3007 [Misclassified Claims]* [Docket No. 750] (the "Seventh Omnibus Objection"),² filed by above-captioned debtors and debtors in possession (collectively, the "Debtors"), requesting that the Court enter an order reclassifying Misclassified Claims as general unsecured claims as set forth in the Column marked "Proposed Treatment/Disposition" in **Exhibit A** attached hereto; and the Court having jurisdiction to consider the Seventh Omnibus Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Seventh Omnibus Objection; the Court hereby finds and determines that, pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure, due and proper notice has been provided to the holders of the Misclassified Claims and all other parties entitled to notice; and no other or further notice is necessary; and the relief requested in the Seventh Omnibus Objection is in the best interests of the Debtors, their estates and creditors; and that the legal and factual bases set forth in the Seventh Omnibus Objection establishes just cause for the relief requested therein; therefore

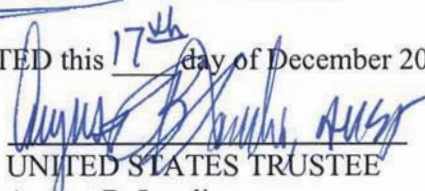
IT IS HEREBY ORDERED THAT:

1. The Seventh Omnibus Objection is granted.
2. The claims identified on **Exhibit A** attached hereto are hereby and shall be reclassified as general unsecured claims as set forth in the column marked "Proposed Treatment/Disposition" in **Exhibit A**.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Seventh Omnibus Objection.

1 APPROVED/DISAPPROVED:

2 DATED this 17th day of December 2009.

3 By: 
4 UNITED STATES TRUSTEE
5 August B. Landis
6 Office of the United States Trustee
7 300 Las Vegas Blvd. S., Ste. 4300
8 Las Vegas, NV 89101

9 Submitted by:
10 DATED this 17th day of December 2009.

11 By: /s/ Zachariah Larson
12 LARSON & STEPHENS
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EXHIBIT A

To Seventh Omnibus Objection to Claims [Misclassified]

Claim No.	Claimant Name	Filed in Debtor Case	Claim Amount Secured	Claimed Amount Unsecured	Claimed Amount Priority	Total Claimed Amount	Modified Amount Secured	Modified Amount Priority	Modified Amount Unsecured	Total Modified Amount	Proposed Treatment/Disposition
137	SAN GABRIEL CONSTRUCTION ATTN: ERIC GARCIA 9435 W. TROPICANA SUITE 102 PMB 157 LAS VEGAS, NV 89147	09-14846	3,725.52	1,200.88		4,926.40			4,926.40	4,926.40	Reclassify as a general unsecured claim in the modified amount
7	TOWER BUILDERS, LLC ATTN: BRUCE BIRT 3656 N. RANCHO DR. #101 LAS VEGAS, NV 89130	09-14853	540.40			540.40			540.40	540.40	Reclassify as a general unsecured claim in the modified amount

LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Submitted by:

DATED this 17th day of December, 2009.

By: /s/ Zachariah Larson

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